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June 25, 2009

Via Fax (208-526-8789) and Mail

Clayton Ogilvie, DOE-ID FOIA Officer
Department of Energy Idaho Operations Office
1955 Fremont Avenue, MS 1203
Idaho Falls, ID 83415

Re: Paul Maeser and LaRee Maeser vs. Asbestos Defendants (B♦P)
San Francisco Superior Court Case No. 274996
ASBESTOS LITIGATION
FREEDOM OF INFORMATION ACT REQUEST

Dear Mr. Ogilvie:

Our office represents Paul Maeser and LaRee Maeser in an asbestos personal injury action involving Paul Maeser. The case is currently set for trial setting conference on December 17, 2009. We also will file a Motion for Preference to obtain an earlier trial date based on Mr. Maeser's diagnosis of mesothelioma and his age of 83.

Mr. Maeser was employed between 1957 and 1982 at the Idaho National Engineering Lab (INEL) by various contractors as a Health & Physics Radiation Safety Technician. These contractors include, but are not limited to: ConocoPhillips Company, Idaho Nuclear Corporation, Aero Jet Nuclear Co and Egerton Grimmerhouse and Grier (E G & G Idaho Inc.). We are seeking any documentation that may help us determine the manufacturers, suppliers or contractors that either made, sold or disturbed asbestos-containing products at the INEL sites listed below.

Mr. Maeser worked and/or was present in the following facilities and buildings at INEL:

- Central Facilities Area (CFA), also known as Central Site, which included as many as 20

- separate structures between 1957 and 1982, including, but not limited to: Health Physics Offices; Personnel Office; Dispatchery; Cafeteria; Library; Monitoring Building; Vehicle Maintenance Building; Photography Lab; and Bus Depot.
- Chemical Processing Plant (CPP), including but not limited to Buildings 501 and 602;
- Test Reactor Area (TRA), including Advanced Test Reactor (ATR), Engineering Test Reactor (ETR), and Materials Testing Reactor (MTR);
- Test Area North (TAN);
- EBR 1 and 2;
- SPERT 1 & 2;
- Remote Analytical Facility (RAF);
- Boilerhouse;
- Atomic Energy Commission Building, Idaho Falls, Idaho;
- Department of Energy Building, Idaho Falls, Idaho;
- Rogers Hotel, Idaho Falls, Idaho; and
- Argonne National Laboratory, Idaho Falls, Idaho.

As part of our investigation and discovery in this case, we hereby request, under the Freedom of Information Act, the following documents and information:

1. Sales records (including, but not limited to, invoices, purchase orders and receipts) in regards to materials used for any of the following purposes:
 - a. Construction and maintenance* of buildings/structures at the INEL sites listed above;
 - b. Supplies used in the vehicle maintenance building, welding department/shop and the carpentry department/shop;
2. Inventory records that mention specific manufacturers for the materials listed in No. 1;
3. Bids and/or contracts that show specific work done by outside contractors.
4. Inspection records that show the presence of asbestos in any of the facilities listed above and exactly where the asbestos in those buildings was located; and
5. Other documentation not listed above that references asbestos-containing products.

*Materials used for the construction and maintenance of buildings include, but are not limited to: ceiling panels, floor tiles, siding, drywall wallboard, drywall joint and taping compounds, plaster/stucco (interior and exterior), transite pipe, caulking compounds, glazing compounds, acoustical sprays and fireproofing sprays.

We believe Mr. Maeser may also have been working with asbestos and/or asbestos-containing materials at INEL. We are also interested in discovery of all documents related to his work and projects to which he was assigned that may reveal the materials, manufacturers, suppliers and/or brand names of asbestos or asbestos containing materials.

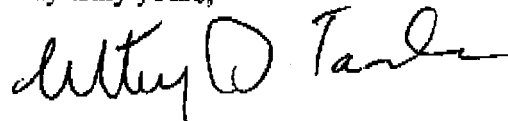
Brayton ♦ Purcell is willing to pay in advance, in accordance with the Freedom of Information Act, all reasonable expenses and costs in connection with the search and production of the requested documents and information. We agree to pay any reasonable fees in ascertaining these documents, however, if the cost associated with processing this request exceeds \$250.00,

please call me. Our toll-free number is 1-800-765-7778 and my extension is 261.

Brayton❖Purcell understands that the search and production of documents and information will be of no expense to the government. If the documents are voluminous, we request that you contact our office, as we would be willing to send a member of our staff to review the documents and select which ones we would like copied.

Upon your receipt of this letter, please contact me so that we can discuss the documents and information available, and how to most efficiently review and copy same.

Very truly yours,

A handwritten signature in black ink, appearing to read "Christy S. Tada". The signature is fluid and cursive, with a large initial "C" and "S".

Christy S. Tada
Paralegal

JBG:cst